

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

In re: GST TELECOM INC., <u>et al.</u>, Debtors. <hr/> GST TELECOM INC., <u>et al.</u>, Counterplaintiffs, v. JOHN WARTA, Counterdefendant.) Chapter 11) Case No. 00-1982 (GMS)) Jointly Administered))))) Civil Docket No. 04-CV-1380))))
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NOTICE OF MOTION

PLEASE TAKE NOTICE that on October 27, 2005, the above-captioned debtors and debtors in possession (the “Debtors”) filed the **Motion of Debtors and Debtors-In-Possession for an Order Approving Settlement and Release Agreement with John Warta** (the “Motion”) with the United States District Court for the District of Delaware (the “District Court”) and the United States Bankruptcy Court for the District of Delaware (the “Bankruptcy Court”).

PLEASE TAKE FURTHER NOTICE that any objections to the Motion must be made in writing, filed with the District Court, 844 N. King Street, 2nd Floor, Wilmington, DE 19801, and the Bankruptcy Court, 824 N. Market Street, 2nd Floor, Wilmington, DE 19801, and served upon, so as to actually be received by, the undersigned counsel, on or before **November 16, 2005 at 4:00 p.m. (EST)**.

PLEASE TAKE FURTHER NOTICE that if an objection is properly filed in accordance with the above procedures, a hearing on the Motion will be scheduled before the Honorable Gregory M. Sleet at the Court's convenience. Only those objections made in writing, timely filed, and served in accordance with the above procedures will be considered at such hearing.

If no objections are timely filed in accordance with the above procedure, the District Court may enter an order approving the Motion without further notice or hearing.

Dated: October 27, 2005
Wilmington, Delaware



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